

**MINUTES OF THE
SOCIAL SERVICES APPROPRIATIONS
SUBCOMMITTEE**

Thursday, February 9, 2017 • 7:59 am • 30 House Building

Members Present:

Sen. Allen M. Christensen, Senate Chair
Rep. Paul Ray, House Chair
Rep. Raymond P. Ward, House Vice Chair
Sen. Luz Escamilla
Sen. Brian E. Shiozawa
Sen. Kevin T. Van Tassell
Sen. Todd Weiler
Rep. Carl R. Albrecht
Rep. Rebecca Chavez-Houck
Rep. Rebecca P. Edwards
Rep. Sandra Hollins
Rep. Michael S. Kennedy

Rep. Edward H. Redd
Rep. Christine F. Watkins

Members Absent:

Sen. Daniel Hemmert
President Wayne L. Niederhauser

Staff Present:

Mr. Hector R. Zumaeta Santiago, Staff Economist
Mr. Russell T. Frandsen, Fiscal Analyst
Ms. Clare Tobin Lence, Fiscal Analyst
Ms. Tonya Hadley, Committee Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at le.utah.gov.

1. Call to Order

Chair Ray assumed the chair and called the meeting to order at 8:19 a.m.

2. Approval of Minutes

None

4. Public Input on Topics on Today's Agenda

Ms. Joyce Dolcourt, Past Chair, Legislative Coalition for People with Disabilities, spoke to funding priorities.

Ms. Jessica Sanders, parent and Family Planning Researcher, spoke to funding priorities.

Dr. Katherine Stork, OBGYN, spoke to the family planning issue.

Dr. Bill Cosgrove, Utah Chapter of American Academy of Pediatricians, spoke to funding priorities.

Ms. Michelle McOmber, CEO, Utah Medical Association, spoke to funding priorities.

Mr. Bill Gormundson, Crossroads Urban Center, spoke to funding priorities.

3. Unfinished Items from the Previous Agenda

Ms. Bacall Hincks, Program Coordinator, Grandfamilies Kinship Care, discussed the funding request.

5s-RFA - Christensen - Grandfamilies (in February 7th materials)

5. Request for Appropriation (King) - Reproductive Health and Medicaid Amendments (HB 57) - #W on the purple sheet

Rep. Brian S. King presented about the fiscal note for H.B. 57 with the assistance of Mr. Nathan Checketts, Deputy Director, Department of Health (DOH). Rep. Kennedy, Rep. Redd, and Sen. Christensen discussed the issue.

Chair Christensen assumed the chair.

Mr. Checketts discussed the building block proposal. Rep. Redd asked how this request is different from H.B. 57. Mr. Checketts clarified.

Mr. Checketts discussed proposed reorganization of the Medicaid Services Budget line items. Chair Christensen asked Mr. Russell Frandsen, Fiscal Analyst, to speak to this proposed motion. Mr. Frandsen explained the history of the line items.

Combined Service Line Item - 2017-02-08

7. Maintain Primary Care Network Access - #M on the purple sheet

Mr. Checketts presented about the Primary Care Network funding needs. Chair Christensen asked about past funding. Mr. Frandsen responded. Rep. Redd asked for clarification. Mr. Checketts responded.

6. Provide Family Planning Services to All Individuals Under 100% FPL - #Q on the purple sheet and #AT on the yellow sheet

Dr. Joseph Miner, Executive Director, DOH, discussed the program.

8. Medicaid Caseload, Inflation and Program Changes (Medicaid Consensus) - #B on the purple sheet

9. Request for Appropriation (Christensen) - Managed Care Rate Increase - #R on the

purple sheet

Rep. Redd, Chair Christensen, Mr. Frandsen, and Mr. Checketts discussed the proposal.

Mr. Michael Hales, Senior Planning Consultant, Intermountain Healthcare, spoke to the Accountable Care Organization (ACO) issue. Rep. Redd asked for clarification. Mr. Hales, Mr. Checketts, and Mr. Frandsen responded. Rep. Ward spoke to the issue.

13. Pay for Adult Preventative Exams - #O on the purple sheet

Mr. Checketts presented building block request for Medicaid Adult Preventive exams.

Mr. Checketts and Dr. Caryn Slack discussed the program. Rep. Kennedy spoke to the issue.

10. Request for Appropriation (Ray) - Direct Care Staff Salary Increase in Intermediate Care Facilities - #AG on the purple sheet

Mr. Dirk Anjewierden, Executive Director, Utah Health Care Association (UHCA), and Ms. Karen Roof, ICF-ID Chair, UHCA, discussed the report.

10-Direct Care Staff Salary Increase in Intermediate Care Facilities

11. Request for Appropriation (Ward) - 12 Month Eligibility for Children on Medicaid - #AE on the purple sheet

Rep. Ward and Ms. Jessie Mandle, Policy Analyst, Voices for Utah Children, presented the appropriations request. Chair Christensen spoke to the issue.

11-12-month continuous eligibility for children on Medicaid overview 2-9-17

12. Request for Appropriation (Redd) - Treatment of Post-partum Depression - #Y on the purple sheet and #BN on the yellow sheet

Rep. Redd discussed the issue of postpartum depression. Rep. Ray asked where Utah ranks nationally on this issue. Rep. Redd responded. Rep. Chavez-Houck spoke to the issue.

14. Participation Rates by Children in Medicaid

Not discussed.

15. Local Government Hospitals' Ownership of Nursing Facilities

Mr. Checketts explained about the nursing facilities.

16. Access Monitoring Review Plan

Mr. Checketts and Ms. Emma Chacon, Division of Medicaid and Health Financing, DOH, discussed the program.

17. Report on Medicaid Maximizing Employer Sponsored Coverage and Increasing Number of Children Who Are Eligible But Not Enrolled

Mr. Frandsen, Mr. Checketts, and Mr. Jeff Nelson, Director, Bureau of Medicaid, DOH, discussed the report.

Report on Sufficient Funds For Transfer From the University of Utah School of Dentistry.

19. Request for Appropriation (Eliason) Provide Adult Dental Services for the Blind or Disabled - #X on the purple sheet

Rep. Steve Eliason, Mr. Checketts, Mr. Andrew Riggle, Public Policy Analyst, Disability Law Center, presented the request for appropriation. Chair Christensen and Rep. Ward spoke to the issue.

20. 10:40 a.m. Request for Appropriation (Edwards) Emergency Assistance Program - #BH on the yellow sheet

Rep. Edwards and Mr. Steve Erickson, Consultant, Crossroads Urban Center, discussed the program.

18. FY 2017 and FY 2018 Budget Discussions, Prioritizing, and Voting

MOTION: Rep. Ray moved to approve the following from the sheet entitled "Social Services Subcommittee- Motions for Subcommittee Consideration" dated 1/20/2017 10:10 AM: #2I, 2K, 2L, and 2Z. The motion passed with a vote of 13-0-3.
Voting in the affirmative were:
Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C
Absent or not voting were:
Hemmert D, Niederhauser W, Van Tassell K

MOTION: Rep. Ray moved to approve the following: Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for the fiscal year beginning July 1, 2017, and ending June 30, 2018, the following sums of money are appropriated from resources not otherwise appropriated, or reduced from amounts previously appropriated, out of the funds or accounts indicated. These sums of money are in addition to amounts previously appropriated for fiscal year 2018.

The Legislature authorizes the Division of Finance to transfer the following amounts among the following funds or accounts as indicated:

To General Fund Restricted - Office of Rehabilitation Transition Restricted Account
From General Fund, one-time 21,834,200

Schedule of Programs:
General Fund Restricted - Office of Rehabilitation Transition Restricted Account
21,834,200

To Department of Workforce Services - State Office of Rehabilitation
From General Fund - one-time (21,834,200)
From General Fund Restricted - Office of Rehabilitation Transition Restricted Account 21,834,200

To Department of Workforce Services - Administration
From General Fund Restricted - Office of Rehabilitation Transition Restricted Account 5,000,000
From Federal Funds 5,000,000

Schedule of Programs:
Administrative Support 10,000,000

To Department of Workforce Services - Operations & Policy
From General Fund Restricted - Office of Rehabilitation Transition Restricted Account 5,000,000
From Federal Funds 5,000,000

Schedule of Programs:
Information Technology 10,000,000

To Department of Workforce Services – Unemployment Insurance Administration
From General Fund Restricted - Office of Rehabilitation Transition Restricted Account 5,000,000
From Federal Funds 5,000,000

Schedule of Programs:

Unemployment Insurance Admin 10,000,000

The motion passed with a vote of 14-0-2.

Voting in the affirmative were:

Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C

Absent or not voting were:

Hemmert D, Niederhauser W

MOTION: Rep. Ray moved to approve the following: The Legislature intends that the fiscal year 2018 ending balances in the General Fund Restricted - Office of Rehabilitation Transition Restricted Account (Fund 1288) not lapse at the end of fiscal year 2018. The Legislature further intends the Division of Finance transfer any remaining balances in the General Fund Restricted -Office of Rehabilitation Transition Restricted Account (Fund 1288) into the Department of Workforce Services - State Office of Rehabilitation line item at the time the Office of Rehabilitation Transition Restricted Account is repealed (July 1, 2018). The following sums of money are appropriated for the fiscal year beginning July 1, 2016 and ending June 30, 2017. These sums of money are in addition to amounts previously appropriated for fiscal year 2017.

The Legislature authorizes the Division of Finance to transfer the following amounts among the following funds or accounts as indicated

To Department of Workforce Services - Administration

From General Fund Restricted - Office of Rehabilitation Transition Restricted Account 5,000,000

From Federal Funds 5,000,000

Schedule of Programs:

Administrative Support 10,000,000

To Department of Workforce Services - Operations & Policy

From General Fund Restricted - Office of Rehabilitation Transition Restricted Account 5,000,000

From Federal Funds 5,000,000

Schedule of Programs:

Information Technology 10,000,000

To Department of Workforce Services – Unemployment Insurance Administration

From General Fund Restricted - Office of Rehabilitation Transition Restricted Account 5,000,000

From Federal Funds 5,000,000
Schedule of Programs:
Unemployment Insurance Admin 10,000,000

The Legislature intends that the fiscal year 2017 ending balances in the General Fund Restricted - Office of Rehabilitation Transition Restricted Account (Fund 1288) not lapse at the close of fiscal year 2017.

The motion passed with a vote of 14-0-2.

Voting in the affirmative were:

Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C

Absent or not voting were:

Hemmert D, Niederhauser W

MOTION: Rep. Ray moved the following: The Legislature intends the Department of Workforce Services transfer the \$3,400,000 increased ARRA funds appropriation from the Unemployment Compensation Fund to the Administration line item, Operations and Policy line item, and the Unemployment Insurance line item.

The motion passed with a vote of 14-0-2.

Voting in the affirmative were:

Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C

Absent or not voting were:

Hemmert D, Niederhauser W

MOTION: Rep. Ray moved to approve the following: Remove \$500,000 one-time General Fund and associated federal funds in FY 2017 from the Department of Health's Medicaid Optional Services line item provided during the 2016 General Session for S.B. 39, Medicaid Coverage for Adult Dental Services. This \$500,000 is to be added to the total one-time subcommittee reductions and used to fund the subcommittee's internal priorities.

The motion passed with a vote of 14-0-2.

Voting in the affirmative were:

Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E,

Watkins C
Absent or not voting were:
Hemmert D, Niederhauser W

MOTION: Rep. Ray moved approve the following: If the Legislature provides funding for the building block entitled: “Alzheimer's Community Outreach Campaign,” the following intent language is approved:

The Legislature intends that state funds for the Alzheimer's Community Outreach Campaign shall only be expended to the extent that there is a one to one match of private funds.

The motion passed with a vote of 11-3-2.
Voting in the affirmative were:
Christensen A, Ray P, Ward R, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Edwards R, Kennedy M, Redd E, Watkins C
Voting in the negative were:
Escamilla L, Chavez-Houck R, Hollins S
Absent or not voting were:
Hemmert D, Niederhauser W

MOTION: Rep. Ray moved to approve the following: Increase the ongoing dedicated credit appropriation to the Department of Human Services from the General Fund Restricted - National Professional Men's Basketball Team Support of Women and Children Issues special license plate fund from \$12,500 to \$50,000 for FY 2017 and ongoing in FY 2018, to reflect expected collections to the fund.

(The full amount of collections from the fund cannot be disbursed to the appropriate charitable organization due to the current appropriation. See fund balances: http://le.utah.gov/lfa/cobi/fundinfo/fund_1117.pdf)

The motion passed with a vote of 14-0-2.
Voting in the affirmative were:
Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C
Absent or not voting were:
Hemmert D, Niederhauser W

MOTION: Rep. Ray moved to approve the following: The Legislature intends that the

Department of Health report to the Office of the Legislative Fiscal Analyst by October 1, 2017 on whether the policies of Medicaid and the accountable care organizations regarding opioid prescribing are in line with the 2016 Centers for Disease Control guidelines for prescribing opioids for chronic pain, and in line with the recommendations from the Utah opioid prescribing guidelines. Further, if necessary, the report shall identify the required next steps and a proposed timeline to make opioid prescribing policies more in line with referenced guidelines.

The motion passed with a vote of 14-0-2.

Voting in the affirmative were:

Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C

Absent or not voting were:

Hemmert D, Niederhauser W

MOTION: Rep. Ray moved to approve the following: The Legislature intends that the Department of Health report to the Office of the Legislative Fiscal Analyst by September 1, 2017 on the policies of Medicaid and the accountable care organizations regarding the coverage of long acting reversible contraceptives to ensure that covered services are not being denied to women during inpatient stays in the hospital. Further, if necessary, the report shall identify the required next steps and a proposed timeline to make improvements to coverage of long acting reversible contraceptives.

The motion passed with a vote of 14-0-2.

Voting in the affirmative were:

Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C

Absent or not voting were:

Hemmert D, Niederhauser W

MOTION: House Chair Ray moved to approve the following: I move to make the following fee changes for the Department of Health for FY 2018:

1. Increases
 - a. \$15 to \$18 for the “Background checks” fee in the Child Development program for approximately 15,200 child care workers
 - b. \$15 to \$18 for the “Initial Clearance” fee in the Health Facility Licensing and Certification program for approximately 17,400 health care workers

- c. \$65 to \$67 for the “Background Check Fee” in the Emergency Medical Services and Preparedness program for approximately 4,400 emergency medical services workers
- 2. New Fee - add the following fee for all programs within the Family Health and Preparedness line item
 - a. \$12 for Fingerprints for approximately 1,000 health care and child care workers

I further move to create a budget reduction/offset item equal to all the \$109,800 new revenue generated for the General Fund and beginning in FY 2018 provide that same amount ongoing to the Department of Health as well as \$8,800 in dedicated credits authority to hire two additional background check workers.

The Department of Health will report on the following performance measures for this funding: (1) Hire two background screening staff by July 1, 2017 and (2) achieve production level of 6,800 background screening actions per month. (This includes determinations, appeals and registry research from the Productivity Report Users in the DACS system).

The motion passed with a vote of 14-0-2.

Voting in the affirmative were:

Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C

Absent or not voting were:

Hemmert D, Niederhauser W

Mr. Frandsen explained the following motion.

MOTION: Rep. Ray moved to approve the following: Under Section 63J-1-603 of the Utah Code, the Legislature intends up to an additional \$800,000 (for a total not to exceed \$8,124,200) of Item 34 of Chapter 5, Laws of Utah 2016 in the Department of Health's Medicaid Mandatory Services line item shall not lapse at the close of Fiscal Year 2017. The use of nonlapsing funds is limited to the redesign and replacement of the Medicaid Management Information System.

Under Section 63J-1-603 of the Utah Code, the Legislature intends up to an additional \$800,000 (for a total not to exceed \$8,124,200) of Item 35 of Chapter 5, Laws of Utah 2016 in the Department of Health's Medicaid Optional Services line item shall not lapse at the close of Fiscal Year 2017. The use of nonlapsing funds is limited to the redesign and replacement of the Medicaid Management

Information System.

The Legislature intends that the \$800,000 in Beginning Nonlapsing provided to the Department of Health's Medicaid Mandatory Services line item for the redesign and replacement of the Medicaid Management Information System is dependent upon up to \$800,000 funds not otherwise designated as nonlapsing to the Department of Health's Medicaid Mandatory Services line item, Medicaid Optional Services line item, or a combination of both line items not to exceed a total of \$8,124,200 being retained as nonlapsing in Fiscal Year 2017 for this purpose.

The motion passed with a vote of 14-0-2.

Voting in the affirmative were:

Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C

Absent or not voting were:

Hemmert D, Niederhauser W

Mr. Frandsen explained the following motion.

MOTION: Rep. Ray moved to approve the following: Beginning in FY 2018 create a new line item called "Medicaid Services" for all expenditures currently recorded in the Medicaid Mandatory Services and Medicaid Optional Services line items. This new line item will include the following programs:

- Accountable Care Organizations
- Dental
- Expenditure Offsets from Collections
- Home & Community Based Waivers
- Home Health & Hospice
- Inpatient Hospital
- Intermediate Care Facilities for the Intellectually Disabled
- Medical Transportation
- Medicare Buy-In
- Medicare Part D Clawback Payments
- Mental Health & Substance Abuse
- Nursing Home
- Other Services
- Outpatient Hospital

Pharmacy
Physician & Osteopath
Provider Reimbursement Information System for Medicaid
School Based Skills Development

The motion passed with a vote of 14-0-2.

Voting in the affirmative were:

Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C

Absent or not voting were:

Hemmert D, Niederhauser W

Chair Christensen asked the committee members to study the chair proposal lists overnight and prepare to vote tomorrow.

MOTION: Rep. Chavez-Houck moved to adjourn. The motion passed with a vote of 14-0-2.

Voting in the affirmative were:

Christensen A, Ray P, Ward R, Escamilla L, Shiozawa B, Van Tassell K, Weiler T, Albrecht C, Chavez-Houck R, Edwards R, Hollins S, Kennedy M, Redd E, Watkins C

Absent or not voting were:

Hemmert D, Niederhauser W

Chair Christensen adjourned the meeting at 10:59 am.

Sen. Allen Christensen

Rep. Paul Ray